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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

ORDER

18-CR-204-1 (NGG) (VMS)

KEITH RANIERE, also known as Vanguard,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

Defendant Keith Raniere has been indicted on charges of racketeering conspiracy, racketeering,¹ forced labor conspiracy, wire fraud conspiracy, sex trafficking conspiracy, sex trafficking, and attempted sex trafficking. (Second Superseding Indictment ¶¶ 13-40; 44-48.)

On January 9, 2019, Raniere filed a motion to suppress certain evidence and request for a hearing pursuant to Frank v. Delaware, 438 U.S. 154 (1978) (the “Motion”). (See Mot. to Suppress (“Mot.”) (Dkt. 269); Mem. in Support of Mot. (Dkt. 269-1).) This court referred the Motion to Magistrate Judge Vera M. Scanlon for a report and recommendation (“R&R”). (See Feb. 6, 2019 Min. Entry.) On March 14, 2019, Judge Scanlon issued an R&R in which she recommended that the court deny the Motion in its entirety. (See R&R (Dkt. 451) at 1.)

On March 28, 2019, Raniere informed the court that after reviewing the R&R, he “concluded that [he] do[es] not have a basis to set aside its findings.” (Letter re: R&R (Dkt. 476).) The time to object to the R&R has also passed. See 28 U.S.C. § 636(b)(1)(c); Fed. R. Crim. P. 59(a). The court therefore reviews the R&R for clear error. See 28 U.S.C.

¹ This charge includes predicate acts of conspiracy to commit identity theft, sexual exploitation of a child, possession of child pornography, conspiracy to alter records for use in an official proceeding, money laundering, trafficking and document servitude, state law extortion, visa fraud, sex trafficking, and forced labor. (Second Superseding Indictment (Dkt. 430) ¶¶ 16-40.)

§ 636(b)(1)(A); Fed. R. Crim. P. 59(a); United States v. Blake, No. 14-CR-0312 (CBA) (SMG), 2014 WL 6606692, at *1 (E.D.N.Y. Nov. 19, 2014) (“To accept those portions of the R & R to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” (citation and quotation marks omitted)).

Finding no clear error in the R&R, the court ADOPTS IN FULL the R&R and DENIES Raniere’s motion to suppress certain evidence and request for a Franks hearing (Dkt. 451).

SO ORDERED.

Dated: Brooklyn, New York
April 26, 2019

s/Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge